



MERIT SYSTEMS PROTECTION BOARD

APPEAL FORMS PACKAGE (MSPB Form 185)

Attachments Checklist

The forms in the MSPB Appeal Forms Package (MSPB Form 185) ask you to submit certain attachments with your appeal, depending on your answers to specific questions in the forms. This Attachments Checklist is intended to assist you in ensuring that all required attachments are submitted with your appeal. **Please submit only the attachments requested at this time.** You will be afforded the opportunity to submit detailed evidence in support of your appeal later in the proceeding.

MSPB Form 185-1 APPELLANT AND AGENCY INFORMATION

- ☐ Question 4—IF you answered “Yes,” attach a completed Designation of Representative Form, MSPB Form 185-9.

MSPB Form 185-2 APPEAL OF AGENCY PERSONNEL ACTION OR DECISION (Non-retirement)

- ☐ Question 1—IF an SF-50 is available for the personnel action or decision, attach it. **DO NOT** delay filing your appeal if the SF-50 is not available; you may submit it later.
- ☐ Question 2—IF you received a proposal letter for the personnel action or decision, attach it.
- ☐ Question 3—IF you received a final decision letter for the personnel action or decision, attach it.
- ☐ Question 5—IF you answered “Yes,” attach a copy of the agreement between you and the agency to try to resolve the matter through an alternative dispute resolution (ADR) process.
- ☐ Question 8—IF you answered “Yes,” attach a copy of the grievance.
- ☐ Question 10—IF you answered “Yes,” attach a copy of the decision on the grievance.

MSPB Form 185-3 APPEAL OF OPM OR AGENCY RETIREMENT DECISION OR ACTION

- ☐ Question 6—IF you answered “Yes,” attach a copy of the OPM final or reconsideration decision.
- ☐ Question 7—IF you answered “Yes,” attach a copy of the agency decision.

MSPB Form 185-4A CLAIMS OF MISTAKES IN PROCEDURES OR VIOLATIONS OF LAW

No attachments required.

MSPB Form 185-4B CLAIMS OF PROHIBITED DISCRIMINATION

- ☐ Question 2—IF you answered “Yes,” attach a copy of the formal discrimination complaint filed with the agency.
- ☐ Question 5—IF you answered “Yes,” attach a copy of the decision on the discrimination complaint.

MSPB Form 185-4C CLAIMS OF PROHIBITED PERSONNEL PRACTICES

No attachments required.



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MSPB Form 185-5 WHISTLEBLOWER CLAIMS OR INDIVIDUAL RIGHT OF ACTION (IRA) APPEAL

- ☐ Question 1—IF you made a protected disclosure in writing, attach a copy of it.
- ☐ Questions 1 through 4—IF you filed a complaint with the Office of Special Counsel (OSC) before filing your appeal, you may attach a copy of Part 2 of Form OSC-11 (8/00) to provide the information requested in these questions.
- ☐ Question 4—FOR IRA APPEAL ONLY—IF you received a proposal letter, decision letter, and/or SF-50 for the agency action or decision on which your whistleblower claim is based, attach it/them.
- ☐ Question 6—IF you filed a complaint with the Office of Special Counsel (OSC) before filing your appeal, attach a copy of your request to OSC for corrective action. IF you are attaching a copy of Part 2 of Form OSC-11 (8/00), that attachment provides the information requested in this question.
- ☐ Question 8—IF you answered "Yes," attach a copy of the OSC notice informing you of your right to appeal to the MSPB.
- ☐ Question 11—IF you previously filed a stay request with the MSPB, attach a copy of it.
- ☐ Question 13—IF you answered "Yes," attach a copy of the decision on the stay request.

MSPB Form 185-6 WHISTLEBLOWER STAY REQUEST

- ☐ Attach a Certificate of Service specifying how and when your stay request was served on the agency. Attach any documentary evidence that supports your stay request.

MSPB Form 185-7 USERRA CLAIMS OR USERRA APPEAL

- ☐ Question 4—FOR USERRA APPEAL ONLY—IF you received a proposal letter, decision letter, and/or SF-50 for any agency action or decision associated with your claim of a USERRA violation, attach it/them.
- ☐ Question 6—IF you filed a USERRA complaint with the Secretary of Labor, attach a copy of it.
- ☐ Question 7—IF you answered "Yes," attach a copy of the notice you received from the Secretary of Labor.
- ☐ Question 9—IF you answered "Yes," attach EITHER a completed MSPB Form 185-9 if OSC is representing you OR a copy of the OSC letter declining to represent you, whichever applies.

MSPB Form 185-8 VETERANS PREFERENCE CLAIMS OR VEOA APPEAL

- ☐ Question 5—FOR VEOA APPEAL ONLY—IF you received a proposal letter, decision letter, and/or SF-50 for any agency action or decision associated with your claim of a veterans' preference violation, attach it/them.
- ☐ Question 7—FOR VEOA APPEAL ONLY—Attach a copy of the VEOA complaint filed with the Secretary of Labor.
- ☐ Question 8—FOR VEOA APPEAL ONLY—Attach EITHER a copy of the notice you received from the Secretary of Labor that your VEOA complaint could not be resolved OR a copy of your notice to the Secretary stating your intent to appeal to the Board, whichever applies.